

SEYFARTH
ATTORNEYS SHAW LLP**MEMO ENDORSED**

Writer's direct phone

(212) 218-5611

Writer's e-mail

aianni@seyfarth.com

*The Settlement Conference
on 1/17/12 is vacated.*

SO ORDERED:

Date: *1/12/12* *Richard M. Berman*
January 11, 2012 Richard M. Berman, U.S.D.J.

620 Eighth Avenue

New York, New York 10018

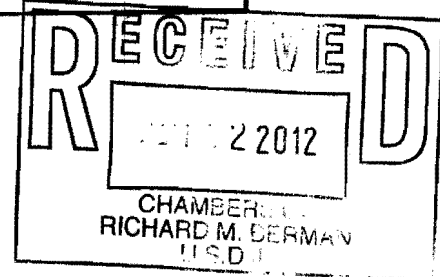
(212) 218-5500

fax (212) 218-5526

www.seyfarth.com

VIA FEDERAL EXPRESS

The Honorable Richard M. Berman
 United States District Court for the Southern District of New York
 Daniel Patrick Moynihan United States Courthouse
 500 Pearl Street, Room 21B
 New York, New York 10007-1312



Re: Sanjae Russell v. S & S Credit Co., Inc. and
 The Stop & Shop Supermarket Company LLC, 11-CV-5031 (RMB-HBP)

Dear Judge Berman:

We represent defendants S & S Credit Co., Inc. and The Stop & Shop Supermarket Company LLC (collectively, the "Defendants") in the above-referenced case, and respectfully write, with the consent of counsel for plaintiff Sanjae Russell ("Russell"), to request that the settlement conference currently scheduled for January 17, 2012 at 9:00 a.m. be cancelled. This is the parties' first request for an adjournment.

The parties have engaged in settlement discussions, and based on those conversations, it appears that a settlement conference is unlikely to be fruitful at this time. In addition, the parties note that Russell's motion to remand is currently pending before this Court. If the Court denies Russell's motion to remand, then the parties still need to participate in Court-ordered mediation, which Your Honor has stayed pending a resolution of the motion to remand. Accordingly, the parties respectfully request that the Court cancel the January 17, 2012 settlement conference.

Thank you for Your Honor's consideration of this request

Respectfully submitted,

SEYFARTH SHAW LLP

Allison E. Ianni

cc: Edward Cerasia II
 Stewart Lee Karlin, Esq. (by email)

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